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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 CHRISTOPHER LEON SMITH,
14 Plaintiff,
15 v.
16 PIERCE COUNTY CORRECTIONAL
17 FACILITY, *et al.*,
18 Defendants.

CASE NO. C09-5269FDB
ORDER

19
20 This Civil Rights Action has been referred to United States Magistrate Judge J. Richard
21 Creatura pursuant to 28 U.S.C. § 636(b)(1)(A) and 636 (b)(1)(B), and Local Magistrate Judge's
22 Rule MJR3 and MJR4. Since the filing of the order directing service in this action, plaintiff has
23 begun filing "exhibits" and other papers. See, Dkt. # 9, 11, and 12. These filings contain medical
24 records, letters, court documents from other proceedings, pamphlets and other miscellaneous
25 materials. In addition, the clerk's office has received a large bundle of additional papers for
26 filing. This bundle contains inmate statements, pamphlets from the American Diabetics

1 Association, and other miscellaneous papers. With the exception of one two-page, handwritten
2 document that requests the clerk to provide him forms for the appointment of counsel, none of
3 the other papers are filed in reference to any particular motion or request.

4 The court now informs plaintiff that these are not proper filings because they are not filed
5 with any particular motion or request. Therefore, they will not be considered by the court.
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7 An exhibit or evidence must be submitted as an attachment to a motion that is properly
8 served on opposing parties. This gives the opposing party an opportunity to object to the
9 document if the opposing party believes that the filing is not proper and gives the opposing party
10 an opportunity to respond to any motion filed. In the absence of any pending motion, these
11 filings are not properly before the court.

12 The court now ORDERS:

- 13 1. The Clerk's office will return the bundle of papers to plaintiff unfiled.
- 14 2. Plaintiff is instructed to follow the Fed. R. Civ. P and the Local Rules regarding
15 his future filings and he is reminded that a copy of everything he sends to court
16 must be served on any party who appears in this action.
- 17 3. The handwritten paper addressed to the clerk requesting forms for appointment of
18 counsel will be filed. The Clerk is directed to send plaintiff an Application for
19 Court Appointed Counsel.
- 20 4. Dkt. Numbers 9, 11 and 12 will not be considered by the court.

21 DATED this 24th day of June, 2009.



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24 J. Richard Creatura
25 United States Magistrate Judge
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